

1 IN THE UNITED STATES DISTRICT COURT
 2 FOR THE NORTHERN DISTRICT OF OKLAHOMA

3 STATE OF OKLAHOMA, ex rel,)
 4 W.A. DREW EDMONDSON, in his)
 capacity as ATTORNEY GENERAL)
 5 OF THE STATE OF OKLAHOMA,)
 et al.)
 6)
 Plaintiffs,)
 7)
 V.) No. 05-CV-329-GKF-SAJ
 8)
)
 9 TYSON FOODS, INC., et al.,)
)
 10 Defendants.)

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 13 REPORTER'S TRANSCRIPT OF PROCEEDINGS

14 FEBRUARY 20, 2008

15 PRELIMINARY INJUNCTION HEARING

16 VOLUME II

17
 18 BEFORE THE HONORABLE GREGORY K. FRIZZELL, Judge

19
 20 APPEARANCES:

21 For the Plaintiffs: Mr. Drew Edmondson
 Attorney General
 22 Mr. Robert Nance
 Mr. Daniel Lennington
 23 Ms. Kelly Hunter Burch
 Mr. Trevor Hammons
 24 Assistant Attorneys General
 313 N.E. 21st Street
 25 Oklahoma City, Oklahoma 73105

1 tax records which your clients were assessed fees for birds
2 present in those houses, were also part of that assessment.

3 Q. Sir, you show how many active locations for Cal-Maine in
4 2005 and 2006?

5 A. Well, this is for this general point. We have that they
6 are Cal-Maine and Willowbrook have relatively limited
7 operations. They're shown on there. I think they would be
8 generally thought of as active. I think Cal-Maine actually
9 pulled out in '04.

10 Q. Okay. But your ground truthing was done in 2005 and 2006;
11 correct?

12 A. Correct.

13 Q. But despite the fact that Cal-Maine, which you know
14 apparently, was not raising birds in the Illinois River
15 Watershed in 2005, they show up on your map as active poultry
16 house locations in 2005; correct?

17 A. Well, they show up as a Cal-Maine. I'm not sure they show
18 up in the database as active, but they show up on the map as
19 mapped.

20 Q. What's the title to the map, sir?

21 A. It says active poultry houses located in the Illinois
22 River Watershed 2005, 2006.

23 Q. If I understand correctly, you're not now representing
24 that all of these locations shown are really active in 2005,
25 2006?